

REMARKS

Claims 1-20 are pending in this application and have been revised. Claims 1 and 10-13 are independent.

Claims 1-20 were said to present subject matter that would be allowable once various objections were overcome. The Examiner is thanked for this indication of allowable subject matter.

SUMMARY OF TELEPHONIC INTERVIEW

On March 24, 2010, Applicant's undersigned attorney spoke with the Examiner to inquire whether the Office Action dated March 23, 2010, was an *ex parte* Quayle action with a shortened two month period for response, or a non-final action with a three month period for response (the Office Action Summary sheet identified the Office Action as a non-final action with a three month response period, whereas page 4 of the Office Action identified the Office Action as an *ex parte* Quayle action with a shortened two month period for response).

The Examiner confirmed that the Office Action was an *ex parte* Quayle action with a two month period for response.

So that the prosecution record is clear, the undersigned wishes to point out that the Interview Summary mailed on April 14, 2010, and detailing this telephonic interview identified Applicant's representative during the call as Mr. Thomas Ham. However, that is in error; Applicant's undersigned attorney participated in the call. Also, the indicated date of the call, March 25, is in error, and should be March 24.

The Objection to the Claims

Claims 1-4 and 10-13 were objected to as containing terms that the Examiner felt rendered the claims to be unclear, such as 51, 52, 53, G1, t8, 59, D1, D2, SP, LP, T1 and T2.

In the interests of expediting prosecution, and without conceding that these references render the claims unclear, claims 1-4 and 10-13, as well as the other claims, have been revised to eliminate all the terms that the Examiner felt were unclear (it is believed that these terms are clear, since they appear in the specification).

Favorable reconsideration and withdrawal of this objection are respectfully requested.

**The Objection
to the Drawings**

The drawings were objected to "because they fail to show a textual description of each of the referenced parts in Figures 1, 3 and 4 as described in the specification".

Applicants have submitted a suitable set of replacement drawings herewith. The depicted referenced parts in Figs. 1, 3 and 4 have been revised to include textual descriptions.

However, Applicant wishes to point out that this objection is improper and contrary to MPEP 1893.03(f); Applicant has explained in the Response to Office Action filed on November 18, 2009, that (1) this application is the national stage of PCT application no. PCT/IB2004/051133, (2) Figures 1, 3 and 4 were accepted for international processing by the PCT authorities, and (3) the USPTO cannot require drawing changes that are inconsistent with the requirements of the PCT during international processing, and the PCT rules do not permit drawings to be labeled with textual descriptions.

In particular, PCT Regulation 11.11 provides:

11.11 Words in Drawings

(a) **The drawings shall not contain text matter, except a single word or words, when absolutely indispensable**, such as "water," "steam," "open," "closed," "section on AB," and, in the case of electric circuits and block schematic or flow sheet diagrams, a few short catchwords indispensable for understanding.

(b) Any words used shall be so placed that, if translated, they may be pasted over without interfering with any lines of the drawings.

(emphasis added).

Although Applicant has identified M.P.E.P. 1893.03(f) as supporting Applicant's position, the Examiner has not commented upon that portion of the M.P.E.P. or cited any authority to refute Applicant's position.

It is respectfully submitted that in view of the Examiner's inability to identify any authority contrary to M.P.E.P. § 1893.03(f), this objection is not well-taken and is arbitrary agency action.

For all the foregoing reasons, favorable reconsideration and withdrawal of this objection are respectfully requested.

CONCLUSION

Applicant respectfully submits that all outstanding objections have been addressed and are now overcome. Applicant further submits that all claims pending in this application are patentable over the prior art. Accordingly, favorable consideration and prompt allowance of this application are respectfully requested.

No fees are believed to be due in connection with the filing of this paper. If, however, the Commissioner deems any additional fee(s) to be now or hereafter due in connection with this application, authority is given to charge all such fees to Deposit Account No. 50-4019.

In the event that there are any questions, or should additional information be required, please contact Applicant's attorney at the number listed below.

Respectfully submitted,

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